

**BEFORE THE MINNESOTA  
BOARD OF PSYCHOLOGY**

In the Matter of  
Martha Marvin, M.A., L.P.P.  
License No. LPP0084

**STIPULATION AND  
CONSENT ORDER**

IT IS HEREBY STIPULATED AND AGREED by Martha Marvin, M.A., L.P.P.  
(Licensee), and the Minnesota Board of Psychology (Board) as follows:

1. During all times herein, Licensee has been and now is subject to the jurisdiction of the Board from which she holds a license to practice psychology in the State of Minnesota.

**FACTS**

2. For the purpose of this stipulation, the Board may consider the following facts as true:

a. Licensee was licensed as a licensed psychological practitioner on May 16, 2003.

b. On September 2, 2005, the Board received Licensee's Application for Conversion From Licensed Psychological Practitioner to Licensed Psychologist pursuant to Minn. Stat. § 148.907, subd. 5.

c. In order to convert from a licensed psychological practitioner to a licensed psychologist, this statute requires, among other things, that the applicant document successful completion of two full years, or the equivalent, of supervised post-licensure employment meeting the requirements of Minn. Stat. § 148.925, subd. 5. The application requires that the applicant identify supervisors who will attest to the supervision, as well as two endorers.

d. The application form advises applicants that the supervisors and endorsers will be contacted for verification.

e. On July 27, 2005, Licensee posted a resume in which she identified herself as a "licensed psychological practitioner converted to LP in September of 2005." During an interview that occurred on August 10, 2005, Licensee advised that within a month or so her licensure would convert to the LP level.

f. On August 1, 2005, Licensee posted her resume on the Minnesota Department of Employee Relations Web site. On her resume, she lists her licensure as a "licensed psychologist."

g. On August 24, 2005, Licensee was interviewed for a position as a "licensed psychologist." During the interview, Licensee described herself as a licensed psychological practitioner who was in the process of being converted to a licensed psychologist, and even though she had not yet applied to convert to a licensed psychologist, Licensee reported to the interviewer that she would be a licensed psychologist by September 2005.

h. In a voice-mail message left on September 12, 2005, to the interviewer, Licensee stated,

I am still an LPP, and I think I told you in the interview that the Board was going to do away with that licensure and convert us, those of us who qualified, of which I am, to LP licensure. I thought that would be about mid-September, but it's not going to be until the first week in October.

At the time she left that message, Licensee had, in fact, applied for conversion but had no basis to state that she qualified for conversion, nor that any such conversion would be occurring the first week in October.

i. On February 24, 2006, Licensee met with the Board's Complaint Resolution Committee to discuss her conduct. During the conference, she reiterated that it was

not her intention to deceive anyone as to the status of her licensure or the status of her conversion to licensure as a licensed psychologist. However, Licensee also admitted that at the time she made her representations and at the time she applied for conversion, she had not yet completed the requirements for conversion.

### **REGULATIONS**

3. The Board views Licensee's practices as described in paragraph 2 above to be in violation of statutes and rules enforced by the Board. Licensee agrees that the conduct cited above constitutes a violation of Minn. Stat. § 148.98 (2004) and Minn. R. 7200.4500 (code of conduct); Minn. Stat. § 148.941, subd. 2(a)(1) (2004) (statute or rule Board is empowered to enforce); Minn. Stat. § 148.941, subd. 2(a)(2) (2004) (fraudulent, deceptive, or dishonest conduct); Minn. Stat. § 148.941, subd. 2(a)(3) (2004), and Minn. R. 7200.5700 (unprofessional conduct); Minn. R. 7200.5100, subp. 1 (made public statements that contained false or misleading information); Minn. R. 7200.5100, subp. 2 (misrepresented directly or by implication professional qualifications); and Minn. R. 7200.5600 (conduct likely to deceive or defraud the public or the Board), and constitutes a reasonable basis in law and fact to justify the disciplinary action provided for in the order.

### **REMEDY**

4. Upon this stipulation and without any further notice or proceedings, Licensee does hereby consent that until further order of the Board, made after notice and hearing upon application by Licensee or upon the Board's own motion, the Board may make and enter an order **REPRIMANDING** Licensee based upon the conduct referenced in paragraph 2. The Board may also order Licensee to pay a **CIVIL PENALTY** to the Board in the amount of one thousand (\$1,000) dollars for engaging in the conduct and violations described in paragraphs 2 and 3

above. Payment of \$1,000 shall be remitted in full to the Minnesota Board of Psychology at Suite 320, 2829 University Avenue SE, Minneapolis, Minnesota 55414, within sixty (60) days of the date this Stipulation and Consent Order is adopted by the Board.

5. If any due date required by this Stipulation and Consent Order is not met, the Committee may fine Licensee \$100 per violation. Licensee shall pay the fine and correct the violation within five days after service on Licensee of a demand for payment and correction. If Licensee fails to do so, the Committee may impose additional fines not to exceed \$500 per violation. The total of all fines may not exceed \$5,000. Licensee waives the right to seek review of the imposition of these fines under the Administrative Procedure Act, by *writ of certiorari* under Minn. Stat. § 480A.06, by application to the Board, or otherwise. Neither the imposition of fines nor correction of the violation will deprive the Board of the right to impose additional discipline based on the violation.

6. Licensee is responsible for all costs incurred as a result of compliance with this Stipulation and Consent Order.

7. If Licensee shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the Committee shall schedule a hearing before the Board. The Committee shall mail Licensee a notice of the violation alleged by the Committee and of the time and place of the hearing. Licensee shall submit a response to the allegations at least three days prior to the hearing. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

At the hearing before the Board, the Committee and Licensee may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this

Stipulation and Consent Order. Licensee waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Licensee's practice, or suspension or revocation of Licensee's license.

8. This stipulation shall not in any way limit or affect the authority of the Board to temporarily suspend Licensee's license under Minn. Stat. § 148.941, subd. 3, or to initiate contested case proceedings against Licensee on the basis of any act, conduct, or omission of Licensee justifying disciplinary action occurring before or after the date of this Stipulation and Consent Order which is not related to the facts, circumstances or requirements referenced herein.

9. In the event the Board at its discretion does not approve this settlement or a lesser remedy than indicated in this settlement, then, and in that event, this stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party to this stipulation, except that Licensee agrees that should the Board reject this stipulation and this case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this stipulation or of any records relating to this matter.

10. Any appropriate court may, upon application of the Board, enter its decree enforcing the order of the Board.

11. Licensee has been advised by Board representatives that she may choose to be represented by legal counsel in this matter. Licensee has chosen Edward F. Kautzer to represent her. The Committee is represented by Nathan W. Hart, Assistant Attorney General.

12. Licensee waives all formal hearings on this matter and all other procedures before the Board to which Licensee may be entitled under the Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

13. Licensee hereby knowingly and voluntarily waives any and all claims against the Board, the Minnesota Attorney General, the State of Minnesota and their agents, employees and representatives which may otherwise be available to Licensee under the Americans With Disabilities Act or the Minnesota Human Rights Act relative to the action taken or authorized against Licensee's license to practice psychology under this stipulation.

14. Licensee hereby acknowledges that she has read, understands, and agrees to this stipulation and has freely and voluntarily signed the stipulation without threat or promise by the Board or any of its members, employees, or agents. When signing the stipulation, Licensee acknowledges she is fully aware the stipulation is not binding unless and until it is approved by the Board. The Board may either approve the Stipulation and Consent Order as proposed, approve the Stipulation and Consent Order subject to specified change, or reject it. If the changes are acceptable to Licensee, the stipulation will then take effect and the order as modified will be issued. If the changes are unacceptable to Licensee or the Board rejects the stipulation, it will be of no effect except as specified herein.

15. This Stipulation and Consent Order constitutes a disciplinary action against Licensee.

16. This Stipulation and Consent Order is a public document and will be sent to all appropriate data banks.

17. This stipulation contains the entire agreement between the parties there being no other agreement of any kind, verbal or otherwise, which varies this stipulation.

BOARD OF PSYCHOLOGY

COMPLAINT RESOLUTION  
COMMITTEE

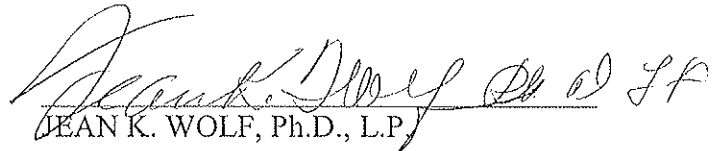


MARTHA MARVIN, M.A., L.L.P.  
Licensee

Dated: 3/29/06

  
TED THOMPSON, M.Ed., L.P.

Dated: 4-14-06

  
JEAN K. WOLF, Ph.D., L.P.

Dated: 4/14/06

ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the license of Licensee is **REPRIMANDED** and that all other terms of this stipulation are adopted and implemented by the Board this 14th day of

April, 2006.

MINNESOTA BOARD

OF PSYCHOLOGY

  
PAULINE WALKER-SINGLETON  
Executive Director